

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DOCTOR CHRIST ECSTASY,

Plaintiff(s),

v.

TE SUBCOM, et al.,

Defendant(s).

Case No. 2:15-CV-1730 JCM (VCF)

ORDER

Presently before the court are Magistrate Judge Ferenbach's report and recommendation regarding plaintiff's application to proceed *in forma pauperis*. (Doc. #2). Plaintiff filed an objection (docs. #4), and defendants did not reply.

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, the court is required to "make a de novo determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party fails to object, however, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Magistrate Judge Ferenbach recommended that the court deny plaintiff's motion to proceed *in forma pauperis* because, in his application, plaintiff represents that he is self-employed, owns a coffee shop with his Thai wife in Thailand, is receiving unemployment benefits of \$430 per week, and the rights to property in Ecuador worth "\$1,000,000++." The application also states that he support dependents, whose "ancestors owned the farm the Battle of Bunker Hill was fought on." When working, these "people pay me." (Doc. #1).

1 Plaintiff objects to the manner in which the magistrate judge characterized his finances,
2 claiming that the decision “appears to belittle the ancestry of my children who are Sons & Daughter
3 of the American Revolution” and “seems overly concerned by Super Sealing when some rich old
4 gambler is involved in a RICO like situation that is not so much different from [this] situation . . .
5 .” (Doc. #4). Plaintiff also clarifies the statements he made in his application and states that he
6 does not receive \$1,000 a month from land owned, but rather he pays that in child support when
7 he is able. (Doc. #4).

8 After reviewing Magistrate Judge Ferenbach’s report, defendant’s objections, and the
9 underlying application *de novo*, the court adopts the report and recommendation in full and denies
10 plaintiff’s motion to proceed *in forma pauperis*.

11 Accordingly,

12 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge
13 Ferenbach’s report and recommendation (doc. #2) be, and the same hereby are, ADOPTED in full.

14 IT IS FURTHER ORDERED that plaintiff’s motion to proceed *in forma pauperis* (doc.
15 #1) is DENIED.

16 DATED May 3, 2016.

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UNITED STATES DISTRICT JUDGE